



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

November 10, 2010

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Order authorizing the City of Boston to permanently dedicate Laviscount Park for park purposes in accordance with M.G.L. Chapter 45, section 14 and to have the administration take such other actions as needed to so dedicate this park for park purposes in accordance with the terms and conditions of a \$329,382.00 grant awarded by the Division of Conservation Services in the Massachusetts Executive Office of Energy and Environmental Affairs

Through this grant, the Boston Parks and Recreation Department proposes to renovate Laviscount Park in Roxbury. This grant will match funds already allocated to this project from the City of Boston Capital Improvement Program. The Laviscount Park renovation will address a critical need to supply an area for rest and relaxation for adults and play for children from the surrounding neighborhood, and to enhance the attractiveness of this dense urban neighborhood

I urge your Honorable Body to pass this Order as soon as possible

Sincerely,

Thomas M. Menino
Mayor of Boston

CITY OF BOSTON

IN CITY COUNCIL

AN ORDER AUTHORIZING THE CITY OF BOSTON TO PERMANENTLY DEDICATE LAVISCOUNT PARK IN ROXBURY FOR PARK, RECREATION, AND PLAYGROUND PURPOSES.

WHEREAS, Laviscount Park in Roxbury is a community-wide asset and the proposed renovation and improvements to this facility are a City priority as evidenced in the most recent City of Boston Open Space and Recreation Plan; and

WHEREAS, Given that Laviscount Park, then named Townsend Street Plaza, was donated in 1966 to the City of Boston by the Boston Redevelopment Authority in accordance with the Washington Park Urban Renewal Plan with the express deed restriction that said donated land follow the primary use mandated by the Urban Renewal Plan which is public recreation, and that it has remained a park since that time; and

WHEREAS, Additional land owned by the City of Boston under the jurisdiction of the School Department has been incorporated into Laviscount Park to enable said park to better serve the community and its children, allowing for the placement of a children's play lot; and

WHEREAS, It is anticipated that the City of Boston School Committee will agree that the land currently being used for public recreation uses in connection with Laviscount Park is no longer needed for school purposes, and it is anticipated that said land can be transferred by the City of Boston Public Facilities Commission to the Parks and Recreation Department for formal incorporation into Laviscount Park; and

WHEREAS, Laviscount Park's proposed renovation, guided in principle by the Open Space and Recreation Plan, will greatly enhance this facility with improved seating, fencing, pathways, children's play equipment, site furnishings, universal access, infrastructure, and the like; and

WHEREAS, The Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the state Parkland Acquisitions and Renovations for Communities (PARC) Grant Program (301 CMR 5.00, promulgated pursuant to M.G.L. c. 21A, § 2, M.G.L. c. 132A, § 11, as amended, St. 1977, c. 933, as amended, and St. 1996, c. 15), and such a grant has been awarded to the City of Boston for the renovation and improvement of Laviscount Park; and


CITY OF BOSTON
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WHEREAS, Said EOEEA requires that parks receiving such grants are permanently and formally dedicated to park, recreation, and playground purposes in accordance with section 14 of Chapter 45 of the Massachusetts General Laws; it is hereby

ORDERED: That the City of Boston, in accordance with section 14 of Chapter 45 of the Massachusetts General Laws, hereby permanently dedicates Laviscount Park – both the portion donated by the Boston Redevelopment Authority in 1966 and the portion that the City of Boston anticipates to transfer from the School Department – for park, recreation, and playground purposes to be effective upon transfer of all additional land from the School Department to the Public Facilities Commission and then to the Parks and Recreation Department; and

BE IT FURTHER ORDERED: That the Mayor, through the Commissioner of Parks and Recreation, be and hereby is authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Parks and Recreation Department, including, but not limited to the written declaration by the Public Facilities Commission that the land it transfers from the School Department to the Parks and Recreation Department is dedicated to park, recreation, and playground purposes, and that the deed for said transferred land be recorded in the Suffolk County Registry of Deeds to confirm its permanent dedication to park, recreation, and playground purposes per section 14 of Chapter 45 of the Massachusetts General Laws along with appropriate marginal references and with a certified copy of this City Council Order; and the executing of a deed confirming that the portion of Laviscount Park donated by the Boston Redevelopment Authority is permanently dedicated to park, recreation, and playground purposes per section 14 of Chapter 45 of the Massachusetts General Laws, and the recording of said deed in the Suffolk County Registry of Deeds with appropriate marginal references and with a certified copy of this City Council Order.

**I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**



WILLIAM F. SINNOTT
CORPORATION COUNSEL

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